

THE BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES

March 7, 2005

A regular meeting of the Board of Examiners of Psychology was held at the Division of Occupations, 911 Leawood Drive, Frankfort, Kentucky on March 7, 2005.

MEMBERS PRESENT

Henry S. Davis, Ph.D., Chair
S. Abby Shapiro, Ph.D., Vice Chair
Richard Applegate, M.A.
Barbara Kay Jefferson, Ph.D.
Andrew A. Meyer, Ph.D.
Diane Sobel, Ph.D.
John C. Runyon, M.S.
Andrew B. Jones, Jr., Ph.D.
Ruth Winter Bauman

OCCUPATIONS & PROFESSIONS STAFF

Wendy Satterly, Board Administrator

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General

MEMBERS ABSENT

None

CALL TO ORDER

Henry S. Davis, Ph.D., Chair called the meeting to order at 10:15 a.m.

MINUTES

The minutes of the February 7, 2005, meeting were called to the attention of the members. A motion was made by Mr. Runyon to approve the minutes, as amended. Motion, seconded by Dr. Sobel, carried.

FINANCIAL STATEMENT

The Board reviewed the financial statement indicating a balance of \$183,163.65 as of February 28, 2005. A motion was made by Mr. Runyon to accept the financial statement. Motion, seconded by Dr. Jefferson, carried.

DIRECTOR'S REPORT

Mr. Parrish informed the Board that according to the proposed Budget that was prepared by the House of Representatives, monies were not to be taken from the Boards affiliated with the Division of Occupations. He stated that he would keep the Board apprised in the matter.

COMPLAINTS

The Board reviewed correspondence dated February 7 and February 22, 2005, from Elmer Maggard, Ph.D.

A motion was made by Dr. Jefferson to notify Dr. Maggard that his payment plan for fines and costs assessed against him is acceptable and that no action would be taken on other matters outlined in his correspondence dated February 22, 2005. Motion, seconded by Mr. Runyon, carried. Dr. Davis recused from voting on the motion. Mr. Brengelman agreed to draft correspondence for the Board in this matter.

Case 03-12 - A motion was made by Mr. Runyon to issue a Board Order stating that by April 8, the psychologist must submit a certified true copy of the psychology evaluation in this matter. Motion, seconded by Dr. Jefferson, carried. Drs. Davis, Shapiro, Sobel and Mr. Applegate recused from voting on the motion.

Case 05-05 - The Board reviewed an initiating complaint and the response from the psychologist upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by

Dr. Jefferson to dismiss the complaint for lack of evidence to support a violation of the law and regulations. Motion, seconded by Mr. Runyon, carried. Drs. Shapiro, Sobel and Mr. Applegate recused from voting on the motion.

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Case 05-06 - The Board reviewed an initiating complaint and a response from an individual upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Mr. Runyon to open an investigation into this matter. Motion, seconded by Dr. Jefferson, carried. Drs. Shapiro, Sobel and Mr. Applegate recused from voting on the motion.

Case 05-04 - The Board reviewed an initiating complaint and a response from a psychologist upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Mr. Runyon to dismiss the complaint for lack of evidence to support a violation of the law and regulations. Motion, seconded by Dr. Jefferson, carried. Drs. Shapiro, Sobel and Mr. Applegate recused from voting on the motion.

COMMITTEE REPORTS

CONTINUING EDUCATION COMMITTEE

No report.

EXAMINATION COMMITTEE

Dr. Davis informed the Board that oral examinations were held on February 25, 2005 and that the next oral exams are scheduled for Friday, June 24, 2005.

Ms. Satterly informed the Board that there may be a need to hold oral examinations before the full Board after its regularly scheduled meeting on May 2, 2005, for those individuals that have failed to pass the exam for a second time.

SUPERVISION COMMITTEE

Dr. Jefferson presented for the Board's review correspondence from a supervisor and psychological associate regarding a matter brought before the Board in March which indicated on the annual supervisory report provided to the Committee, the psychological associate in question may be engaged in the independent practice of psychology. After review and discussion, the Board determined that the written explanation and supervisory report submitted by the supervisor and supervisee are sufficient and that no further action is to be taken.

CREDENTIALS REVIEW COMMITTEE

No Report

DISCIPLINED PSYCHOLOGISTS REPORT

No Report

EXPIRED LICENSURE/CERTIFICATE REPORT

No Report

OLD BUSINESS

Mr. Parrish informed the Board that the regulations went before and were unanimously passed by the Health and Welfare Committee of the House of Representatives. He stated that he would keep the Board informed of their progress.

Correspondence was reviewed from Michael E. Samuels, Ph.D. regarding the meeting held with Dr. Shapiro, Ms. Satterly, Jennifer Nesmith and representatives of the University of Kentucky Office of Health Research and Development Grant following the Board meeting on March 7, 2005. A motion was made by Dr. Meyer to correspond with Dr. Samuels regarding the changes that would have to be made to the

psychology database, application and renewal forms, which in turn would require changes to KRS 319, and that as an alternative the Board could provide a list of names and addresses of Psychologists. Motion, seconded by Mr. Applegate, carried. Dr. Shapiro agreed to prepare correspondence for the Board in this matter.

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The Board again reviewed the Code of Ethics Statement of Agreement. After discussion, a motion was made by Mr. Runyon to change the sentence under "Participation in Professional Association Activities" to read "I shall not serve as an officer or voting Board member of a state professional psychological associate while still a member of the Board" and that this change will apply to the statement signed by each Board member at its meeting held on February 7, 2005. Motion, seconded by Dr. Shapiro, carried.

The Board reviewed a draft of an Opinion and Declaratory Ruling regarding the employment status of a psychological associate as a contractor ("1099") relationship versus a statutory employee for which for which an employer issues a "W-2" for purposes of filing with the Internal Revenue Service. After discussion, Dr. Shapiro agreed to revise the language in the Opinion for review at the next Board meeting to be held on April 11, 2005.

The Board discussed authorizing organizations for continuing education. Dr. Davis appointed Drs. Jones Meyer and Jefferson to serve as a committee for the Board to begin discussions for recommending changes to the continuing education regulations to better address the approval process for organizations wishing to apply for sponsorship through the Board.

Dr. Shapiro informed the Board that she was currently working on the next edition of the Board newsletter and would hopefully provide a draft for review at the next Board meeting.

NEW BUSINESS

The Board discussed the topics for discussion and the accommodations for the annual Board retreat to be held July 14 and July 15, 2005. Since the revision of the current oral examination was to be one of the main topics for discussion at the retreat, the Board requested that Charles H. Morgan, Ph.D. and Jane F. Brake, Ph.D., members of the oral examination development committee in 1995-1996, be invited to attend the Board retreat. A motion was made by Mr. Runyon to approve payment of expenses for Drs. Morgan and Brake for attendance at the annual Board retreat. Motion, seconded by Dr. Shapiro, carried.

Correspondence was reviewed from ASPPB regarding the ASPPB/NR designation of postdoctoral programs in clinical psychopharmacology. A motion was made by Dr. Meyer to respond to ASPPB, asking what accrediting body would be used for this program in order to assure quality standards. Motion, seconded by Dr. Shapiro, carried. Dr. Davis agreed to draft correspondence for the Board in this matter and to forward to Drs. Shapiro and Meyer for review and final approval prior to mailing to ASPPB.

A motion was made by Ms. Bauman to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Mr. Runyon carried.

The next scheduled Board meeting is to be held on Monday, April 11, 2005 at 10:00 a.m. at the Division of Occupations and Professions, 911 Leewood Drive, Frankfort, Kentucky.

The meeting adjourned at 11:50 p.m.

H. Davis, Ph.D.

Approved